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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,503	12/03/2003	Shigeki Yoshida	740165-367	3757
22204	7590	10/06/2004	EXAMINER	
NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128			SHAFFER, RICKY D	
			ART UNIT	PAPER NUMBER
			2872	

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/725,503	Applicant(s) YOSHIDA ET AL.	
	Examiner Ricky D. Shafer	Art Unit 2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-10, 15 and 16 is/are rejected.
- 7) ☒ Claim(s) 4-6, 11-14 and 17-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/03/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Mittelhauser ('342).

Mittelhauser discloses a mirror device for a vehicle comprising a first gear (13) which is rotatable; and a second gear (18) which is connected to the first gear so as to be tiltable, due to the first gear being rotated, the second gear is rotated integrally with the first gear, and a mirror (5) for a vehicle is thereby rotated. Note figures 1 and 2 along with the associated description thereof.

3. Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Stolpe et al ('113).

Stolpe et al discloses a mirror device for a vehicle comprising a first gear (12) which is rotatable; and a second gear (11) which is connected to the first gear so as to be tiltable, due to the first gear being rotated, the second gear is rotated integrally with the first gear, a mirror (53) for a vehicle is thereby rotated and a worm gear (60) which is provided at an output shaft of a motor (39) and which is rotated due to the motor being driven, and the first gear engages with the worm gear. Note figures 1, 2, 10 and 11 along with the associated description thereof.

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4. Claims 1 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Mochizuki et al ('113).

Mochizuki et al discloses a mirror device for a vehicle comprising a first gear (28) which is rotatable; and a second gear (29) which is connected to the first gear so as to be tiltable, due to the first gear being rotated, the second gear is rotated integrally with the first gear, a mirror (15) for a vehicle is thereby rotated and a helical (worm) gear (32) which is connected to the vehicle body and engages with the second gear. Note figures 1 and 2 along with the associated description thereof.

5. Claims 1, 2, 7-10, 15 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawahara et al ('844).

Kawahara et al discloses a retracting mechanism of an outer mirror device for a vehicle comprising a connecting member (36) connected to an outer mirror (4) for a vehicle; a first worm gear (44) which is provided at an output shaft of a motor (M) provided at the connecting member, and which is rotated due to the motor being driven; a first helical (worm) gear (46) which is provided at the connecting member, and which is engaged with the first worm gear, and which is rotated due to the first worm gear being rotated; a second worm gear (50) which is provided at the connecting member, and which is tiltably connected to the first helical (worm) gear, and which is rotated integrally with the first helical (worm) gear due to the first helical (worm) gear being rotated; a second helical (worm) gear (33) which is connected to a vehicle body and which is engaged with the second worm gear, and due to the second worm gear being rotated, the second worm gear is rotated around the second helical (worm) gear and the outer mirror is thereby rotated together with the connecting member and at least one of first bearings

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(48,49) supporting a rotating central shaft of the first gear at both sides of the first gear; and second bearings (48,49) supporting a rotating central shaft of the second gear at both sides of the second gear. Note figures 1-3, 6 and 7 along with the associated description thereof.

6. Claims 1, 2 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamauchi et al ('907).

Yamauchi et al discloses a mirror device for a vehicle comprising a first gear (37a) which is rotatable; and a second gear (37b) which is connected to the first gear so as to be tiltable, due to the first gear being rotated, the second gear is rotated integrally with the first gear, a mirror (21) for a vehicle is thereby rotated, at least one of first bearings (34b) supporting a rotating central shaft of the first gear at both sides of the first gear; and second bearings (34b) supporting a rotating central shaft of the second gear at both sides of the second gear and a worm gear (35) which is provided at an output shaft of a motor (11) and which is rotated due to the motor being driven, and the first gear engages with the worm gear. Note figures 1 and 4 along with the associated description thereof.

7. Claims 1-3 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamauchi ('610).

Yamauchi discloses a mirror device for a vehicle comprising a first gear (38) which is rotatable; and a second gear (36) which is connected to the first gear so as to be tiltable, due to the first gear being rotated, the second gear is rotated integrally with the first gear, a mirror (not shown) for a vehicle is thereby rotated, at least one of first bearings (68a,70a) supporting a rotating central shaft of the first gear at both sides of the first gear; and second bearings (68a,70a)

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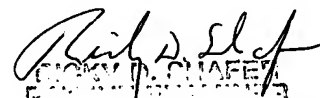
supporting a rotating central shaft of the second gear at both sides of the second gear, a connecting hole (the hole of element 38) is formed at a rotating central shaft of the first gear, a connecting shaft (the shaft of element 36) is provided at a rotating central shaft of the second gear and the first gear and the second gear are connected together via the connecting hole and the connecting shaft, and a worm gear (40) which is provided at an output shaft of a motor (52) and which is rotated due to the motor being driven, and the first gear engages with the worm gear. Note figures 2 to 4 along with the associated description thereof.

8. Claims 4-6, 11-14 and 17-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RDS // September 29, 2004


RICKY D. SHAFER
PATENT EXAMINER
ART UNIT 2872